

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:	§	CHAPTER 13
	§	
EFREN JIMENEZ &	§	
LISA JIMENEZ	§	
	§	
DEBTORS	§	CASE NO. 10-31022-LMC

**THE CITY OF EL PASO'S OBJECTION TO
CONFIRMATION OF DEBTORS' CHAPTER 13 PLAN**

TO THE HONORABLE COURT:

Now comes the City of El Paso and files this Objection to Confirmation of Debtors' Chapter 13 Plan dated May 17, 2010, and support thereof would respectfully show the Court as follows:

1. The City of El Paso is the holder of a claim in the amount of \$2,404.18 for estimated year 2010 ad valorem taxes on the Debtors' real property situated in the City of El Paso, El Paso, County, Texas. This claim is secured by liens on the property pursuant to sections 32.01 and 32.05 of the Texas Property Tax Code.

2. The Debtors' Chapter 13 Plan does not adequately provide for the claim of the City of El Paso in that the Plan fails to treat the City of El Paso's tax claim in its entirety.

3. As an over secured creditor, the City of El Paso is entitled to interest on its claim from the petition date. U.S. v. Ron Pair Enterprises, 489 U.S. 235 (1989). Bankruptcy Code Section 1325(a)(5)(B)(ii) requires that the payments to secured creditors have a "present value" equal to creditors' allowed secured claims. The City of El Paso should be allowed interest from the petition date through the date of final payment at the rate of 12% per annum. See 11 U.S.C. §511.

WHEREFORE, based on the foregoing, the City of El Paso respectfully requests the Court enter an Order denying confirmation of the Debtors' plan unless and until the Debtors amend their plan to provide for the claim of the City of El Paso in the amount of \$2,404.18 to be paid through the plan pro-rata with interest at the rate of 12% per annum or to be paid direct and for such other relief to which it is entitled.

Respectfully submitted,

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By: /s/ Don Stecker
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of *City of El Paso's Objection to Confirmation of Debtors' Chapter 13 Plan* was served this 12th day of July, 2010, by First Class Mail upon the following:

Debtors:

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